IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

DELOISE PRICE,	
PLAINTIFF	
VS.	Case No. 2:06-cv-721-MHT
WAL-MART STORES, INC., et al.,	 -
DEFENDANTS	

CONSENT AND JOINDER IN REMOVAL

Comes now the Defendant identified as Extreme Performance, Inc. and hereby consents and joins in the removal of this case filed by Defendant Wal-Mart.

> _S/Dennis R. Bailey____ Dennis R. Bailey Attorney for Defendant

Of counsel:

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A. 184 Commerce Street Post Office Box 270 Montgomery, Alabama 36101-0270 (334) 206-3234 (phone) (334) 481-0031 (fax) drb@rsjg.com (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that I have filed the foregoing pleading through the ECMF system on this the 23rd day of October, 2006, which will forward same to:

> Jock M. Smith Brian P. Strength Valerie Rucker Russell Cochran, Cherry, Givens, Smith, Lane & Taylor Post Office Box 830419 Tuskegee, Alabama 36083

John E. Earnhardt Robert Fowlkes Maynard, Cooper & Gale 1901 Sixth Avenue North 2400 AmSouth/Harbert Plaza Birmingham, Alabama 35203-2602

> _S/Dennis R. Bailey__ Of counsel